

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE PEOPLE OF THE STATE OF NEW YORK
by LETITIA JAMES, Attorney General of the State
of New York,

Plaintiff,

v.

DIOCESE OF BUFFALO, RICHARD J.
MALONE, EDWARD M. GROSZ, and EDWARD
B. SCHARFENBERGER, in his capacity as
Apostolic Administrator for the Diocese of Buffalo,

Defendants.

No. 1:21-cv-00189-RA

MOTION BY CONSENT FOR SUBSTITUTION OF A DEFENDANT

With the consent of all other parties to this action, Defendant, the Diocese of Buffalo, hereby respectfully moves, pursuant to Federal Rule of Civil Procedure 25(c), to substitute as a Defendant MICHAEL W. FISHER, in his capacity as the Bishop of the Diocese of Buffalo, for the Defendant, EDWARD B. SCHARFENBERGER, in his capacity as Apostolic Administrator for the Diocese of Buffalo. Michael W. Fisher has been the Bishop of the Diocese of Buffalo since he was installed on January 15, 2021. Edward B. Scharfenberger is no longer the Apostolic Administrator for the Diocese of Buffalo. The undersigned counsel for the Diocese of Buffalo represented Edward B. Sharfenberger in this action, in his capacity as the Apostolic Administrator for the Diocese of Buffalo, and will represent Michael W. Fisher in this action, in his capacity as Bishop of the Diocese of Buffalo.

A revised caption with the substitution sought by this motion is attached hereto as Exhibit A.

Dated: New York, New York
August 22, 2022

Respectfully submitted,



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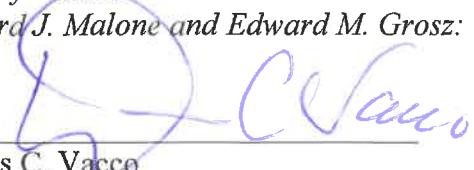
*Attorneys for Defendants
Diocese of Buffalo and
Bishop Michael W. Fisher*

WITH CONSENT:

Dated: Buffalo, New York
August 22, 2022

For Defendants

Richard J. Malone and Edward M. Grosz:



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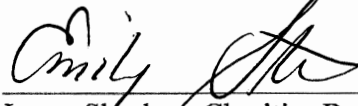
Attorneys for Defendants

Richard J. Malone and Edward M. Grosz

WITH CONSENT:

Dated: New York, New York
August 22, 2022

*For Plaintiff, Letitia James, Attorney General
of the State of New York:*



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Application granted. The Clerk of Court is respectfully directed to amend the caption in this case to replace Defendant Edward B. Sharfenberger with Defendant Michael W. Fisher.

SO ORDERED:

Dated: August 24, 2022



Hon. Ronnie Abrams,
U.S. District Judge

EXHIBIT A

REVISED CAPTION

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